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TELECOPY COVER SHEET

DATE: January 7, 2004

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Kathleen Kerr	U.S. Patent and Trademark Office	703 746 5205	

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Robert Weilacher/Kathy Sheppard	202-263-4329	202-263-4300	32301.227	4

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MESSAGE:

Per your request, attached are the following:

Copy of executed Declaration (2 pages)
Copy of date-stamped postcard (1 page).

Please do not hesitate to call if anything further is needed.

Thank you.

09-NOV-2001 13:33

EGUSSA HILLS PATENTE

Declaration and Power of Attorney United States Patent Application

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Nucleotide Sequences Which Code for the dps Gene

(check one) ☒ is attached hereto.
was filed as U.S. Application No. _____ on _____ and (if applicable)
was amended on _____
was filed as PCT International Application No. _____ on _____ and (if applicable)
was amended under PCT Article 19 on _____

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.
I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign and PCT application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America listed in this Declaration.
I have also identified below any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application(s) on which priority is claimed:

Foreign/PCT Application No.	Country	Filing Date	Priority Claimed? (yes/no)
100 46 623.0	Germany	September 20, 2000	Yes

I hereby claim the benefit under Title 35, United States Code, §120 or §365(e) of any United States application and PCT international application designating the United States of America listed in this Declaration and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Application No.	Filing Date	Status (patented/pending/abandoned?)

I hereby claim priority benefits under Title 35, United States Code §119(e) of any U.S. provisional application(s) listed below:

U.S. Provisional Application No.	Filing Date

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Robert C. Weisacher (20,531), Herbert M. Haugan (25,682), Dale Lischer (28,438), Frederick F. Calvert (28,577), J. Rodgers Lumsford, III (29,405), Michael A. Makush (32,263), Dennis C. Rodgers (32,936), Mary A. Montabellio (33,021), Michael K. Corrier (42,391), Eric J. Hanson (44,738), Patrick R. Delaney (45,338) Brandon S. Boss (46,567), and Brent L. Nelson (48,119).

Send all correspondence to: SMITH, GAMBRELL & RUSSELL, LLP, 1850 M Street, N.W. (Suite 400), Washington, D.C. 20036. All facsimiles may be sent to (202) 263-4329. Direct all phone calls to (202) 659-2811.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Brigitte Bathe
Residence (city, state, country): D-33154 Salzkotten, Germany
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Citizenship: German

Signature: Brigitte Bathe

Date: 10/19/01

Full name of second joint inventor, if any: Caroline Kreutzer
Residence (city, state, country): D-49326 Melle, Germany
Post office address: Poststrasse 16, D-49326 Melle, Germany
Signature: Caroline Kreutzer

Citizenship: German

Date: 10/29/01

* Additional inventors and/or prior applications are listed in attached Supplemental Sheet(s).

SGR/BDWY

09-NOV-2001 13:34

GUSSE KÜLS PATENTE

S.03/06

Supplemental Sheet to U.S. Declaration and Power of Attorney (SGR/BDWY-1 supp.)

Additional Inventor(s):

Full name of third joint inventor, if any: Mechthild Bieping
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Citizenship: German

Signature: [Signature] Date: 10/29/01

Full name of fourth joint inventor, if any: Achim Marx
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Citizenship: German

Signature: [Signature] Date: 10/30/01

Full name of fifth joint inventor, if any: Mike Farwick
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Citizenship: German

Signature: [Signature] Date: 10/23/01

Full name of sixth joint inventor, if any: Walter Pfeifferle,
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Citizenship: German

Signature: [Signature] Date: 11/05/2001

**Postcard receipt: Please apply mail room stamp and return to:
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Attorney Docket No.:	032301.227
Applicant:	Brigette BATHE, <i>et al.</i>
Serial No.:	09/955,315
Filed:	September 19, 2001
For:	"Nucleotide Sequences Which Code for the dps Gene"

List of attached document(s):

- Executed Declaration;
- Assignment Recordation Cover Sheet and Executed Assignment;
- Sequence Listing Submission Statement;
- Sequence Listing with computer-readable disk;
- Preliminary Amendment; and
- Check for \$1,156 (filing fee \$740; recordation fee \$40; surcharge \$130 and extra claims \$246).

Filed: December 7, 2001

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